IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SIXTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 8441 of 2005

Between:

1 Bellari Pedda Ramulu, S/o. Suguri,
Weepangandla Mandal, Mahaboobnagar District.
2 Bellari Chinnaramulu S/o. Suguri,
Weepangandla Mandal, Mahaboobnagar District.

..... PETITIONERS

AND

1 The Special Deputy Collector, Land Acquisition Officer,
Priyadarshini Jurala Project, Gadwal, Mahaboobnagar District.
2 Bellari Suguri, S/o. Beeraiah,
R/o. Sampat Rao Pally Village, Weepangandla Mandal,
Mahaboobnagar District.
3 The Branch Manager, State Bank of Hyderabad.
Gadwal Branch, Mahaboobnagar District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ, order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondents in not referring the claim raised by the petitioners to Civil Court under Section 30 of land acquisition act as illegal, arbitrary and consequently direct the 1st respondents to refer the dispute raised by the petitioners to Civil Court under section 30 of land acquisition act and be pleased to pass such other order or orders.

Counsel for the Petitioner: MR.V.RAGHU

Counsel for the Respondent No.1: GP FOR LAND ACQUISITION

Counsel for the Respondent No. 3 Sri K. V. Simhadri, SC for SBH

The Court at the stage of admission made the following :

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ORAL ORDER:

Heard both sides.

In this Writ Petition, petitioners are seeking a Writ of Mandamus, declaring the action of the respondents in not referring the claim raised by the petitioners to Civil Court under Section 30 of the Land Acquisition Act, as illegal and consequently direct the first respondent to refer the dispute raised by the petitioners to Civil Court under Section 30 of the Land Acquisition Act.

The grievance of petitioners is that the first respondent acquired the land to an extent of Ac. 1.22 gts bearing S.Nos. 112, 113 situated at Sampat Rao Pally village, Weepangandla Mandal, Mahaboobnagar District for the purpose of Canal of Priyadarshini Jurala Project, Godwal, Mahabobnagar District, and to which, the first respondent passed an award-dated 24.3.2005. Not being satisfied with the award passed by the Land Acquisition Officer dated 24.3.2005, the petitioner approached this court by way of present writ petition.

Though the matter is pending for consideration from 15.4.2005, the respondents have not chosen to file their counter.

In the circumstances, as the request of the petitioners is only to refer the matter under Section 30 of the Land Acquisition Act, I deem it appropriate to direct the respondents to consider the request of the petitioners and pass appropriate orders, within a period of two weeks form the date of receipt of a copy of this order.

Accordingly, the Writ Petition is disposed of. No order as to costs.

ELIPE DHARMA RAO,J

DATED: 06.06.2005

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To

1 The Special Deputy Collector, Land Acquisition Officer,
Priyadarshini Jurala Project, Gadwal, Mahaboobnagar District.

2 The Branch Manager, State Bank of Hyderabad.
Gadwal Branch, Mahaboobnagar District.

3. Two CCs to G.P for Land Acquisition, High Court of A.P., Hyderabad (OUT)

4. Two CD copies.